

# State's high court gets tough on education funding

The Bellingham Herald

Posted by Ralph Schwartz on June 16, 2014 Updated 16 hours ago

Tell us [why we shouldn't hold you in contempt of court](#), the Washington state Supreme Court told the state Legislature on Thursday, June 12.

The state has until July 11 to file a response brief to last week's [unanimous Supreme Court decision](#).

The state's highest court ruled in 2012 that the state was failing to fulfill its "paramount duty" under the state constitution "to make ample provision for the education of all children residing within its borders."

The Legislature followed up with about \$1 billion in extra funding for K-12 schools during the 2013 session. But 2014 was not a banner year for education funding. The Legislature in a non-budget session did agree to put up another [\\$60 million for schools](#), but with the other hand [gave up \\$44 million in federal funding](#) by refusing to allow test scores to be used in teacher evaluations.

Then the Legislature missed an April 30 Supreme Court deadline for detailing how it would meet court-ordered school funding goals by the 2018 deadline. Rep. Ross Hunter, D-Medina, has estimated it will take \$6.8 billion total between now and 2018 to meet the court's requirement.

Maybe next year the Legislature could come to some agreement on how this issue should be addressed, lawmakers said. The Supreme Court was not impressed:

"The state is hereby summoned to appear before the Supreme Court to address why the state should not be held in contempt for violation of this court's order ... that directed the state to submit by April 30, 2014, a complete plan for fully implementing its program of basic education for each school year between now and the 2017-18 school year."

The plaintiffs who sued the state and started this case, Mathew and Stephanie McCleary, et al., have asked the court to do any of seven things to address the Legislature's contempt of court -- including the clearly drastic option of shutting off school funding. ("The court takes no position on the appropriateness of any of the possible sanctions," the court notes.)

Some Republicans have philosophically opposed the court's stand. They assert a separation of powers right: The Supreme Court can't tell the Legislature how to make budgets.

Sen. Doug Ericksen, R-Ferndale, was of this mindset when I [interviewed him before the 2014 session](#), in January:

"They're in the Supreme Court. I'm in the Legislature. We do budgets. They interpret the law."

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Postscript: A [slide from the state Office of Financial Management](#) illustrated the bind the Legislature will be in, in 2015. It doesn't even have enough money coming in to fund the status quo, much less \$1-\$2B more for education.

Read more here: <http://www.bellinghamherald.com/2014/06/16/3702164/states-high-court-gets-tough-on.html#storylink=cpy>